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Conversation: NPDES Municipal Stormwater Phase II Western Washington Comment
Subject: NPDES Municipal Stormwater Phase II Western Washington Comment

Ms. Janice Sedlak
Municipal Stormwater Phase II Western Washington Comment
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Dear Ms. Sedlak,

Thank you for this opportunity for formal comment on NPDES Phase II Municipal Stormwater permits for Western Washington. Having had the chance to study the workshop materials, information on the Ecology website, and review several of the comment letters submitted by municipalities, I would like the following two points to be take into consideration in setting permitting requirements under NPDES II.

I have concerns in regard to Best Management Practices (BMPs) approach currently favored by Ecology and several municipalities. While developing a set of BMPs for the control of toxics in stormwater and sedimentary outfalls are necessary and desirable, the BMP approach in itself is inadequate without some objective method to determine effectiveness, water quality monitoring and chemical analysis where practical. Maximum flexibility could be afforded municipalities in establishing BMPs and introducing new techniques into practice, an example of a BMP would be a small project recently recognized by the American Institute of Landscape Architects (ASLA) for innovative design and the removal of most storm water and surface water runoff from the storm water system; only storm water from an occasional large rainstorm would enter the storm water system, most being allowed to percolate on-site. (http://asla.org/awards/2006/06winners/341.html).

While the above would represent a non-point source of potential toxics in to the environment - a criticism of the chemical analysis and threshold approach - water quality standards and techniques for sampling
for toxic substances do exist and should be a requirement under any permitting regiment. The systematic and standardized collection and analysis of stormwater runoff from outfalls and areas with the potential
for introducing toxics into the stormwater system and/or environment in general should be monitored, and storm water techniques evaluated on the
results. Lacking objective and standardized criteria, Phase II permits would leave no rational method for the evaluation of BMPs, in particular

innovative solutions which this approach may encourage such as the ASLA example. Secondly, the many municipalities and agencies in Western Washington would be left without formal guidance from Ecology in stormwater/swro in making design and local permitting decisions - the many adjoining municipalities would be left to negotiate what will most likely amount to a patchwork of inconsistent, non-standardized and expensive sets of criteria for the effectiveness of their stormwater systems. For example, in a recent project involving the removal of sedimentary deposits from a Lake Washington outfall, the City of Bellevue required chemical analysis in their municipal permitting process as a condition of a permit - incurring an expense and interaction in the permitting process - yet receiving some measure of the toxics from local impervious surfaces (streets, etc.).

In summary, I would urge Ecology to adopted an eclectic approach to BMPs
allowing flexibility in design and implementation coupled with rigorous and systematized testing for their effectiveness. While non-site introduction of toxics not captured in the stromwater system is a concern, stormwater/swro testing at outfall falling into specific criteria should be routinely evaluated for the introduction of toxics into the environment for which national standards exist. To not set standards under Ecology permits would leave the numerous municipalities and agencies left without mechanisms to coordinate policy or evaluate the effectiveness of their many environmental protection practices. As the amount of impervious surface increases, and loss of tress and vegetative cover accelerates in Western Washington, much more innovative
practices must be instituted to insure water quality in the region.

Thank you for this opportunity to comment on Washington's implementation
of NPDES Phase II.

Regards,

Jim

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